

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE  
RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the INTERNATIONAL  
DEPOSITARY AUTHORITY identified on the following page.

INTERNATIONAL FORM  
VIABILITY STATEMENT

TO Naoya Kobayashi  
5-1, Shikata-cho 2-chome,  
Okayama-shi, Okayama-ken  
Okayama University Graduate School of  
Medicine and Dentistry Department of  
Gastroenterological Surgery, Transplant,  
and Surgical Oncology  
NAME AND ADDRESS OF THE PARTY  
TO WHOM THE VIABILITY STATEMENT IS MADE

<b>I. DEPOSITOR</b>	<b>II. IDENTIFICATION OF THE MICROORGANISM</b>
Name: Naoya Kobayashi  Address: 5-1, Shikata-cho 2-chome, Okayama-shi, Okayama-ken Okayama University Graduate School of Medicine and Dentistry Department of Gastroenterological Surgery, Transplant, and Surgical Oncology	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  FERM BP- 08657  Date of the deposit or of the transfer: <sup>1</sup>  March 10, 2004
<b>III. VIABILITY STATEMENT</b>	
The viability of the microorganism identified under II above was tested on March 31, 2004 <sup>2</sup> . On that date the said microorganism was  <input checked="checked" type="checkbox"/> <sup>3</sup> viable  <input type="checkbox"/> <sup>3</sup> no longer viable	

<sup>1</sup> Indicate the date of the original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

<sup>2</sup> In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

<sup>3</sup> Mark with a cross the applicable box.

**IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED <sup>4</sup>**

**V. INTERNATIONAL DEPOSITARY AUTHORITY**

**Name:**  
International Patent Organism Depositary  
National Institute of Advanced Industrial Science and Technology  
Dr. Masakazu Yamaoka, Director

**Address:**  
AIST Tsukuba Central 6, 1-1, Higashi 1-Chome Tsukuba-shi,  
Ibaraki-ken 305-8566 Japan

Signature(s) of person(s) having the power  
to represent the International Depositary Authority  
or of authorized official(s):

(Seal)

Date:

April 5, 2004

<sup>4</sup> Fill in if the information has been requested and if the results of the test were negative.